

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**


DIAHNTAE BELL,	:	Case No. 3:11-cv-135
	:	
Petitioner,	:	
	:	District Judge Timothy S. Black
- vs -	:	Magistrate Judge Michael R. Merz
	:	
WARDEN, Warren Correctional	:	
Institution,	:	
	:	
Respondent.	:	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #10), to whom this case was referred pursuant to 28 U.S.C. § 636(b). No notice of right to object was issued as Respondent has not yet been ordered to answer and the Report and Recommendations recommend granting the relief Petitioner requests.

Accordingly, it is hereby ORDERED that Petitioner's Motion for Relief pursuant to Fed. R. Civ. P. 60(a) is GRANTED, the judgment is reopened, and the Court will proceed with further analysis under Rule 4 of the Habeas Rules.

June 21, 2011.



Timothy S. Black
United States District Judge